

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GARY ZIERKE JR.,

Defendant.

4:08CR3067

ORDER

Mr. Zierke has again filed a motion for compassionate release (Filing 361) alleging various health issues. I have previously addressed these issues noting that no matter what section of 18 U.S.C. § 3582 Mr. Zierke relies upon, there is no circumstance under which I would grant his motion. He is a danger to the community. He attempted to have his son harm cooperating witnesses and there was tape-recorded evidence from the jail of Mr. Zierke's attempt to convince his son to engage in such threatening behavior. *See United States v. Zierke*, 618 F.3d 755, 758-759 (8th Cir. 2010). Therefore, I see no reason to pursue this motion any further than the last one.

IT IS ORDERED that the "Emergency Motion for Compassionate Release Pursuant to 18 U.S.C. 3582(c)(1)(A)(i)" (Filing 361) is denied.

Dated this 19th day of October, 2021.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge